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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/944,379	09/04/2001	Wolfgang Moderegger	007413-049	1270	
21839 7:	590 07/28/2006		EXAM	EXAMINER	
BUCHANAN, INGERSOLL & ROONEY PC			ADE, OGER GARCIA		
	DST OFFICE BOX 1404 LEXANDRIA, VA 22313-1404		ART UNIT	PAPER NUMBER	
			3627		
			DATE MAILED: 07/28/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary The MAILING DATE of this communication app Period for Reply	' IS SET TO EXPIRE <u>1</u> MONTH TE OF THIS COMMUNICATION	
The MAILING DATE of this communication app Period for Reply	Garcia Ade ears on the cover sheet with the of IS SET TO EXPIRE 1 MONTH	3627 correspondence address
Period for Reply	ears on the cover sheet with the of a SET TO EXPIRE 1 MONTH	correspondence address
Period for Reply	' IS SET TO EXPIRE <u>1</u> MONTH TE OF THIS COMMUNICATION	
• •	ATE OF THIS COMMUNICATION	(S) OR THIRTY (30) DAYS,
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	cause the application to become ABANDONE	N. mely filed the mailing date of this communication. ED (35 U.S.C. § 133).
Status		
1) Responsive to communication(s) filed on 15 M. 2a) This action is FINAL. 2b) This 3) Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pr	
Disposition of Claims		
4) ⊠ Claim(s) 1-43,49-56 and 59 is/are pending in the 4a) Of the above claim(s) is/are withdraw 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) ⊠ Claim(s) 1-43, 49-56, 59 are subject to restricting the following subject to restricting the following subject to restricting the following subject to restricting subject to restricting the following subject to restricting subject subject to restricting subject	vn from consideration.	
Application Papers		
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomplicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Example 11.	epted or b) objected to by the drawing(s) be held in abeyance. Se ion is required if the drawing(s) is ol	ee 37 CFR 1.85(a). bjected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list 	s have been received. s have been received in Applica rity documents have been receiv u (PCT Rule 17.2(a)).	tion No ved in this National Stage
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	4) Interview Summar Paper No(s)/Mail [5) Notice of Informal 6) Other:	

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C.
 121:

- Group I, claims 1 43, drawn to a method for fulfilling an invitation for bids, classified in class 705, and subclass 37.
- II. Claims 49 56, and 59, drawn to method for managing an invitation for bids, classified in class 705, and subclass 30.
- 1. Inventions Group I and Group II are directed to related distinct process. The related inventions are distinct if the inventions as claimed do not overlap in scope, i.e., are mutually exclusive; the inventions as claimed are not obvious variants; and the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect. See MPEP § 806.05(j). In the instant case, Group II has separate utility such as an estimate price identifier.
- 2. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

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4. A telephone call was made to Debbie Hawkins on July 21, 2006 to request an oral election to the above restriction requirement, but did not result in an election being made.

5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Garcia Ade whose telephone number is 571.272.5586. The examiner can normally be reached on M-F 8:30AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571.272.6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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